

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FELIPE VALENCIA,

Plaintiff,

v.

UNITED STATES CITIZENSHIP AND
IMMIGRATION SERVICES,

Defendant.

Case No. 1:19-cv-47

HON. JANET T. NEFF

OPINION AND ORDER

Plaintiff, proceeding pro se, initiated this action on January 22, 2019. The matter was referred to the Magistrate Judge, who issued a Report and Recommendation (R&R), recommending that the action be dismissed upon initial screening pursuant to 28 U.S.C. § 1915(e)(2)(B). Pending before the Court is Plaintiff's objection to the Magistrate Judge's Report and Recommendation. For the following reasons, the Court denies Plaintiff's objection.

In accordance with 28 U.S.C. § 636(b)(1) and FED. R. CIV. P. 72(b)(3), the Court has performed de novo consideration of those portions of the Report and Recommendation to which objection has been made. The Magistrate Judge determined that Plaintiff's Complaint fails to state any claim upon which relief may be granted (R&R, ECF No. 5 at PageID.14). Plaintiff's objection merely reiterates his allegations and fails to demonstrate any factual or legal error in the Magistrate Judge's analysis. Accordingly, the Court will approve and adopt the Report and Recommendation as its opinion, and a Judgment will be entered consistent with this Opinion and Order. *See* FED. R. CIV. P. 58.

For the above reasons and because this action was filed in forma pauperis, this Court also certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this Judgment would not be taken in good faith. *See McGore v. Wigglesworth*, 114 F.3d 601, 610-11 (6th Cir. 1997), overruled on other grounds by *Jones v. Bock*, 549 U.S. 199, 206, 211-12 (2007). Therefore:

IT IS HEREBY ORDERED that the Objection (ECF No. 6) is DENIED and the Report and Recommendation (ECF No. 5) is APPROVED and ADOPTED as the Opinion of the Court.

IT IS FURTHER ORDERED that the Complaint (ECF No. 1) is DISMISSED pursuant to 28 U.S.C. § 1915(e)(2)(B) for the reasons stated in the Report and Recommendation.

IT IS FURTHER ORDERED that the Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of the decision would not be taken in good faith.

This case is CLOSED.

Dated: April 9, 2019

/s/ Janet T. Neff
JANET T. NEFF
United States District Judge